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APPLICATION NO	FILED DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO	CONFIRMATION NO
09 812,140	03 19 2001	Herbert J. Neuhaus	5740.02	7640

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INTELLECTUAL PROPERTY DEPARTMENT
370 SEVENTEENTH STREET
SUITE 4700
DENVER, CO 80202-5647

[REDACTED] EXAMINER

WILLIAMS, ALEXANDER O

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

2826
DATE MAILED: 01 15 2003

19

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.

09/812 140

Applicant(s)

NEUHAUS ET AL

Examiner

Alexander O Williams

Art Unit

2826

Office Action Summary

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 30 October 2002.

1a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-26 and 28-100 is/are pending in the application.

4a) Of the above claim(s) 1-20, 29-47 and 55-92 is/are withdrawn from consideration

5) Claim(s) _____ is/are allowed.

6) Claim(s) 21, 23-26 and 48-53 is/are rejected.

7) Claim(s) 22, 28 and 93-100 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s) _____
2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) 15, 16, 18	6) <input type="checkbox"/> Other

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Serial Number: 09/812140 Attorney's Docket #: 5740.02
Filing Date: 3/19/01.

Applicant: Neuhaus et al

Examiner: Alexander Williams

Applicant's Amendment in Paper No. 17, filed 10/30/02 is acknowledged.

This application contains claims 1-20, 29-47 and 55-92 drawn to an invention non-elected with traverse in Paper No. 10. A complete response to the final rejection must include cancellation of non-elected claims or other appropriate action (see 37 CFR § 1.144 & MPEP § 821.01).

Claim 27 has been canceled.

The disclosure is objected to because of the following informalities: the application related applications should be updated

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 21, 23 to 26 and 48 to 51 are rejected under 35 U.S.C. § 102(b) as being anticipated by Lake (U.S. Patent # 5,605,547).

For example, in claim 21 and similar claim 48, Lake (figures 1 to 6) specifically **figure 3** show an electrical component assembly comprising: a) a substrate **10** having a plurality of electrical contact sites **13** on a surface thereof; and b) a plurality of electrically conductive hard particles **18** positioned on the substrate, such that each of the electrical contact sites has at least one electrically conductive hard particle associated therewith, wherein the at least one electrically conductive hard particle is affixed in direct contact with a conductive surface of its associated electrical contact.

Claims 53 and 54 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lake (U.S. Patent # 5,605,547 in view of Herbst (U.S. Patent # 5,913,110).

Lake show the features of the claimed invention as detailed above, but fails to explicitly show wherein the printed circuit board substrate comprises a smart card chip module or a smart label.

Herbst is cited for showing a method for producing a plastic material composite component. Specifically, Herbst (figures 1 to 15) specifically figure 4 discloses wherein the printed circuit board substrate comprises a smart card chip module or a smart label (see column 1, lines 33-65) for the purpose of providing a carrier element having protection for the chip.

Therefore, it would be obvious to one of ordinary skill in the art to use Herbst's smart card chip module or a smart label to modify Lake's substrate for the purpose of providing a carrier element having protection for the chip.

Claims 22, 28 and 93 to 100 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims

Response

Applicant's arguments filed 10/30/02 have been fully considered, but are moot in view of the new grounds of rejections detailed above.

The insertion of Applicant's additional claimed language, for example, "in claims 21-23, 26, 28, 48, 51 and new claims 93-100" cause for further search and consideration to make this action final.

Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Art Unit: 2826

Field of Search	Date
U.S. Class and subclass: 257/778.779.784.786.787.738.737.734.700.701.758	1/25/02 7/29/02 1/10/03
Other Documentation: foreign patents and literature in 257/778.779.784.786.787.738.737.734.700.701.758	1/25/02 7/29/02 1/10/03
Electronic data base(s): U.S. Patents EAST	1/25/02 7/29/02 1/10/03

Papers related to this application may be submitted to Technology Center 2800 by facsimile transmission. Papers should be faxed to Technology Center 2800 via the Technology Center 2800 Fax center located in Crystal Plaza 4-5B15. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The Technology Center 2800 Fax Center number is (703) 308-7722 or 24. Only Papers related to Technology Center 2800 APPLICATIONS SHOULD BE FAXED to the GROUP 2800 FAX CENTER.

Any inquiry concerning this communication or any earlier communication from the examiner should be directed to **Examiner Alexander Williams** whose telephone number is (703) 308-4863.

Any inquiry of a general nature or relating to the status of this application should be directed to the **Technology Center 2800 receptionist** whose telephone number is (703) 308-0956.

1/10/03



Primary Examiner
Alexander O. Williams